



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-सा.-12062024-254662
CG-DL-W-12062024-254662

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY
साप्ताहिक
WEEKLY

सं. 21]

नई दिल्ली, मई 26—जून 1, 2024, शनिवार/ ज्येष्ठ 5—ज्येष्ठ 11, 1946

No. 21]

NEW DELHI, MAY 26—JUNE 1, 2024, SATURDAY/JYAISHTHA 5—JYAISHTHA 11, 1946

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

पेट्रोलियम और प्राकृतिक गैस मन्त्रालय

नई दिल्ली, 28 मई, 2024

का.आ. 986.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार के अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में और पेट्रोलियम एवं प्राकृतिक गैस मन्त्रालय, भारत सरकार के का.आ. 3846(अ) दिनांक 21 अक्टूबर 2019 की अधिसूचना के संशोधन में उक्त अधिनियम के अधीन उत्तर प्रदेश राज्य के भीतर भारत पेट्रोलियम कार्पोरेशन लिमिटेड की बीना(म0प्र0)—पनकी (कानपुर उ0प्र0) पाइपलाइन के सक्षम प्राधिकारी के दायित्वों का निर्वहन करने के लिए सुश्री रिकी जायसवाल, अपर जिलाधिकारी (भू0अ0) कानपुर नगर (उत्तर प्रदेश) को श्री सोहनलाल डिप्टी कलेक्टर जिला बहराइच के स्थान पर अतिरिक्त प्रभार में सक्षम प्राधिकारी, प्राधिकृत करती है।

यह अधिसूचना जारी होने की तारीख से लागू होगी।

[फा. सं. आर-11025(15)/3/2019-ओआर-1/ई-29921]

पी.सोमाकुमार, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 28th May, 2024

S.O. 986.—In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipelines (Acquisition of right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby authorizes Ms. Rinki Jaiswal, Additional District Magistrate (Land Acquisition), Kanpur Uttar Pradesh, to perform the functions of Competent Authority on additional charge, in place of existing Competent Authority Shri Sohan Lal notified vide Gazette of India Gas S.O. No. 3846(E) dated 21.10.2019 in the state of Uttar Pradesh for Bina (M.P.) – Panki (Kanpur U.P.) Pipeline of Bharat Petroleum Corporation Limited under the said act..

This notification is applicable from the date of issuance.

[F. No. R-11025(15)/3/2019-OR-1/E-29921]

P. SOMAKUMAR, Under Secy.

श्रम और रोजगार मंत्रालय
नई दिल्ली, 19 अप्रैल, 2024

का.आ. 987.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयर इंडिया लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण - सह - श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 224/2014 और एलसी 12/2014) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21/03/2024 को प्राप्त हुआ था।

[सं. एल-11012/28/2014-आई.आर.सी.(एम-1)]

मणिकंदन. एन, उप निदेशक

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 19th April, 2024

S.O. 987.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 224/2014 & LC 12/2014) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the industrial dispute between the Management of Air India Ltd. and their workmen received by the Central Government on 21/03/2024.

[No. L-11012/28/2014 – IR (CM-I)]

MANIKANDAN. N, Dy. Director

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT HYDERABAD**Present: - **Sri IRFAN QAMAR**

Presiding Officer

Dated the 20th day of February, 2024**INDUSTRIAL DISPUTE No. 224/2014 & LC 12/2014**

Between:

Sri Chand Qureshi,

S/o Late Sri Pasha Chowdary,

H.No.16-9-38/1A, Padamanagar,

Old Malakpet,

Hyderabad.

.....Petitioner

AND

1. The Chairman and Managing Director,
Air India Ltd.,
Airlines House, 113, Gurudwara Rakabganj Road,
New Delhi – 110 001.
2. The Regional Director,
Air India Ltd.,
Chennai.
3. The Deputy General Manager (Personnel)
Air India Ltd.,
Engineering Complex, Begumpet,
Hyderabad – 500016. ... Respondents

Appearances:

For the Petitioner : M/s. A. Nagendra Rao & S. Dev Raj, Advocates
For the Respondent : M/s. V. Uma Devi & N. Srinivas, Advocates

COMMON AWARD

Petitioner Sri Chand Qureshi, S/o Late Sri Pasha Chowdary, has filed application u/s 2A(2) of the I.D. Act, 1947 before this Labour Court which was numbered as LC 12/2014. Later, reference was received from Government of India, Ministry of Labour bearing No.L-11012/28/2014-IR(CM-I) dated 7.10.2014 under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Air India Ltd., and their workman. The reference is,

SCHEDULE

“Whether the action of the Management in not regularizing the services of Sri Chand Qureshi S/o Late Sri Pasha Chowdary, in the post of Typist is justified? To what relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 224/2014 and notices were issued to the parties concerned and the Petitioner entered appearance. Since the cause of action and parties to the dispute as well as prayer involved in both the cases cited above are one and the same, both the cases were clubbed vide order dated 31.1.2017 (Passed in LC11/2014) and disposed off vide common award.

2. Petitioner absent on the date fixed for Petitioner evidence. Record shows that the case is posted for Petitioner's evidence since July, 2023 and no evidence is adduced by the Petitioner till date. In view of absence of the Petitioner and non-production of evidence, to substantiate his claim, case is dismissed for default and a 'No Claim' award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 20th day of February, 2024.

IRFAN QAMAR, Presiding Officer

Appendix of evidence

Witnesses examined for the
Petitioner
NIL

Witnesses examined for the
Respondent
NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 7 मई, 2024

का.आ. 988.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आर. के. मार्बल प्राइवेट लिमिटेड के प्रबंधन के संबद्ध नियोजकों और श्री ओमप्रकाश प्रजापत के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जयपुर, पंचाट (रिफरेन्स नं.-02/2021) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 07.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर.सी.(एम)-54]

दिलीप कुमार, अवर सचिव

New Delhi, the 7th May, 2024

S.O. 988.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 02/2021**) of the Central Government Industrial Tribunal cum Labour Court, Jaipur as shown in the Annexure, in the Industrial dispute between the employers in relation to **R.K. Marble Pvt. Ltd. and Shri Omprakash Prajapat** which was received along with soft copy of the award by the Central Government on 07.05.2024.

[No. Z-16025/04/2024—IR (M) -54]

DILIP KUMAR, Under Secy.

अनुलग्नक

केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जयपुर

पीठासीन अधिकारी

राधा मोहन चतुर्वेदी

सी.जी.आई.टी. प्रकरण सं.— 02/2021

श्री ओमप्रकाश प्रजापत पुत्र श्री रेवड़ मल कुम्हार, निवासी कुम्हारों का मोहल्ला, धुला रोजी, धोला जिला जयपुर, (राज.)।

.....प्रार्थी

बनाम

1. डायरेक्टर, आर. के. मार्बल, प्रा. लि. मकराना रोड़, मदनगंज किशनगढ़ जिला अजमेर (राज.)।

2. माईन्स मैनेजर, आर. के. मार्बल, प्रा. लि., मोरवड गांव के पास जिला राजसमंद (राज.)।

.....अप्रार्थीगण/विपक्षी

उपस्थित:—

: श्री सुरेश कश्यप, अभिभाषक प्रार्थी।

: श्री भवानी सिंह भाटी, अभिभाषक विपक्षीगण।

स्टैटमेंट ऑफ क्लेम धारा 2 A औद्योगिक विवाद

: अधिनिर्णय :

दिनांक : 25.01.2024

1. प्रार्थी ओमप्रकाश प्रजापत द्वारा दिनांक 16.02.2021 को औद्योगिक विवाद अधिनियम (संसोधित 2010) की धारा 2A के अन्तर्गत दावे का अभिकथान प्रस्तुत करते हुये यह कहा गया है कि प्रार्थी की नियुक्ति 22.09.1997 को हॉलमार्कर के पद पर विपक्षीगण के अधीन हुई थी। प्रार्थी ने 01.08.2017 को स्वेच्छिक सेवा निवृत्ति योजना के अन्तर्गत स्वेच्छिक सेवा निवृत्ति हेतु एक आवेदन दिया। जिसे विपक्षीगण ने 23.08.2017 को अस्वीकार कर दिया। इसके बाद 21.07.2020 को जब प्रार्थी कार्य पर आया तो उसे कार्य पर न लेते हुये उसे सेवामुक्त कर दिया और 21.07.2020 से अनुपस्थित रहने का झूठा आरोप लगाया। सेवामुक्ति के पूर्व अधिनियम के प्रावधानों का अनुपालन विपक्षीगण द्वारा नहीं किया गया। अतः 21.07.2020 को की गई प्रार्थी की सेवामुक्ति को अवैध घोषित करते हुये समस्त परिलामों सहित प्रार्थी को सेवा में बिहाल किया जावे।

2. विपक्षीगण ने दावे के कथनों को अस्वीकार करते हुये ये कहा है कि प्रार्थी का VRS आवेदन समिति द्वारा अस्वीकार कर दिया गया था तथा 21.07.2020 से वह निरन्तर अनुपस्थित रहा। प्रार्थी को नोटिस भी दिये गये लेकिन उसने कार्य नहीं संभाला। प्रार्थी को विपक्षीगण ने सेवामुक्त ही नहीं किया इसलिये अधिनियम के प्रावधान लागू ही नहीं होते हैं। अतः वाद अस्वीकार किया जावे।
3. आज दिनांक 25.01.2024 को प्रार्थी व विपक्षीगण ने एक संयुक्त समझौता पत्र अधिकरण के समक्ष प्रस्तुत किया। इस समझौते के अनुसार विपक्षीगण द्वारा प्रार्थी को 451,000/- रु. (अक्षरे चार लाख इक्यावन हजार रुपये) का भुगतान विभिन्न मदों में चैक सं. "224531" दिनांक 20.01.2024 IDBI बैंक, शाखा— राजसमंद, के माध्यम से किया गया। उभयपक्ष ने यह कहा है कि प्रार्थी का कोई सेवा संबंधी दावा/ विवाद अब शेष नहीं है। इस समझौते को सत्यापित करते हुये 451,000/- रु. (अक्षरे चार लाख इक्यावन हजार रुपये) का चैक प्रार्थी को दिया गया।
4. इस स्थिति में उभयपक्ष के मध्य समझौते के आधार पर कोई विवाद शेष नहीं रहा है। अतः यह अधिनिर्णय उभयपक्ष के मध्य कोई विवाद शेष न रहने के आधार पर पारित किया जा रहा है। उभयपक्ष के बीच सम्पन्न समझौते का प्रपत्र अधिनिर्णय का भाग रहेगा।
5. अधिनिर्णय की प्रतिलिपि समुचित सरकार को अधिनियम, की धारा 17 (1) के अंतर्गत प्रकाशनार्थ प्रेषित की जावे।

संलग्न— समझौता प्रपत्र

राधा मोहन चतुर्वेदी, पीठासीन अधिकारी

सेवामें,

न्यायालय केन्द्रीय सरकार औद्योगिक न्यायाधिकरण एवं श्रम न्यायालय राजस्थान, जयपुर।

प्रकरण संख्या 02/2021 सी.जी.आई.टी.

ओम प्रकाश प्रजापत बनाम महाप्रबन्धक, आर.के.मार्बल प्रा. लि., मोरवड़ माईन्सप्रार्थी
.....विपक्षी

समझौता प्रपत्र

संक्षेप में तथ्य— प्रार्थी ने अपनी सेवा मुक्ति दिनांक 20.07.2020 के विरुद्ध माननीय केन्द्रीय सरकार औद्योगिक न्यायाधिकरण एवं श्रम न्यायालय राजस्थान, जयपुर में उक्त केस प्रस्तुत किया, जिसके अनुसार विपक्षी के प्रपत्र क्रमांक आर.के.एम./एच.आर./वी.आर.एस./2017/830 दिनांक 01.08.2017 के तहत स्वैच्छिक सेवानिवृत्ति योजना जारी की थी तथा इस योजना के तहत प्रार्थी ने भी इस योजना का लाभ लेने के लिए स्वैच्छिक सेवानिवृत्ति का प्रार्थना पत्र पेश किया था परन्तु प्रबन्धन द्वारा गठित समिति ने बिना किसी कारण के प्रार्थी का वी.आर.एस. प्रार्थना पत्र खारिज/अस्वीकार कर दिया व प्रार्थी को वी.आर.एस. नहीं दिया। प्रार्थी को दिनांक 20.07.2020 से सेवामुक्त कर दिया गया।

अप्रार्थी की ओर से जबाब पेश कर कथन किया कि प्रार्थी को वी.आर.एस. नहीं दिया। इस कारण प्रार्थी अपनी मनमर्जी से अनुपस्थित चल रहा है। वह अपनी मनमर्जी से कार्य पर नहीं आ रहा है। उसे सेवामुक्त नहीं किया गया। समझौता अधिकारी के समक्ष भी उसे ड्यूटी के लिए ऑफर दिया था।

आज दोनों पक्षों के मध्य लोक अदालत की भावना से राजीनामा/ समझौता निम्न शर्तों के अनुसार सम्पन्न हुआ जिससे दोनों पक्ष पाबन्द रहेंगे :-

प्रार्थी की नियुक्ति दिनांक 22.09.1997 से प्रार्थी की सेवामुक्ति दिनांक 20.07.2020 तक का प्रतिवर्ष की सेवा अवधि के आधार (per Completed Years of Service) पर कुल सेवा अवधि 22 वर्ष 10 माह 02 दिन को 23 वर्ष मानते हुए प्रार्थी को मिलने वाले मासिक अंतिम वेतन भुगतान रुपये 20,360 रुपये अक्षरे बीस हजार तीन सौ साठ रुपये मात्र के आधार पर 15 दिन प्रतिवर्ष की दर से (A) एक्सग्रेसिया भुगतान रुपये 2,24,130 (अक्षरे दो लाख चौतीस हजार एक सौ चालीस रुपये मात्र)] (B) अवकाश नकदीकरण भुगतान (10 दिन पी.एल.एवं 5 दिन सी.एल. कुल 15 दिन) रुपये 10,180 ;अक्षरे दस हजार एक सौ अस्सी रुपये मात्र)] (C) ग्रेच्युटी का भुगतान मूल वेतन रुपये 12,220 ;अक्षरे बारह हजार दो सौ बीस रुपये मात्र) की दर से रुपये 1,62,150 (अक्षरे एक लाख बासठ हजार एक सौ पचास रुपये मात्र) एवं (D)अन्य भुगतान रुपये 44,530 अक्षरे चवालीस हजार पांच सौ तीस रुपये मात्र) जिसका कुल भुगतान रुपये 4,51,000 (चार लाख इक्यावन हजार रुपये मात्र) दोनों पक्षों के मध्य हुए उक्त समझौता के अनुसार माननीय न्यायालय के समक्ष विपक्षी द्वारा प्रार्थी श्री ओम प्रकाश प्रजापत को आई. डी.बी.आई. बैंक, शाखा राजसमंद राज. का चैक संख्या 224531 दिनांक 20.01.2024 राशि 4,51,000 (अक्षरे चार लाख इक्यावन हजार रुपये मात्र) का चैक भुगतान हेतु प्रस्तुत है।

उक्त मद राशि के अलावा अब प्रार्थी का सेवा सम्बन्धि कोई क्लेम किसी प्रकार का शेष नहीं है, ना ही कोई किसी प्रकार की राशि बकाया है। ना ही कोई अन्य विवाद शेष है, अर्थात् सभी प्रकार के

विवाद समाप्त समझे जायेंगे। तथा दोनों पक्ष यह समझौता न्यायालय में पेश कर उक्त आशय का नो डिस्प्यूट अवार्ड पारित करा सकेंगे।

दिनांक 25.01.2024

ह. प्रार्थी

(ओम प्रकाश प्रजापत)

ह. विपक्षी

(अचल सिंह राठौड़)

नई दिल्ली, 15 मई, 2024

का.आ. 989.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण - सह - श्रम न्यायालय, आसनसोल के पंचाट (सन्दर्भ संख्या 34/2023) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04/04/2024 को प्राप्त हुआ था।

[सं. एल-22013/01/2024-आई.आर. (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 15th May, 2024

S.O. 989.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (**Reference.I.D.No. 34/2023**) of the **Central Government Industrial Tribunal-cum-Labour Court, Asansol** as shown in the Annexure, in the industrial dispute between the Management of **E.C.L.** and their workmen, received by the Central Government on **04/04/2024**.

[No. L-22013/01/2024- IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL.

PRESENT: Shri Ananda Kumar Mukherjee,
Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 34 OF 2023

PARTIES: Dharmendra Harijan.

Vs.

Management of Khas Kajora Colliery of ECL.

REPRESENTATIVES:

For the Union/Workman : Jamaluddin Mia, General Secretary, RMBKS.
For the Management of ECL : Mr. Proloy Dasgupta, Management representative.

INDUSTRY: ECL

STATE: West Bengal.

Dated: 16.02.2024

AWARD

In exercise of powers conferred under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Ministry of Labour, Government of India through the Office of the Deputy Chief Labour Commissioner (Central), Asansol, vide its Order **No.1(20)/2023/E** dated 26.06.2023 has been pleased to refer the following dispute between the employer, that is the Management of Khas Kajora Colliery under Kajora Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the management of Khas Kajora Colliery, Kajora Area, M/s. E C Ltd in changing the surname of Sri Dharmendra Harijan to Dharmendra Gautam in the service record is justified or not? If not, what relief the workman is entitled to? ”

1. On receiving Order **No.1(20)/2023/E** dated 26.06.2023 from the Office of the Deputy Chief Labour Commissioner (Central), Asansol, Ministry of Labour, Government of India, for adjudication of the dispute

Reference case No. 34 of 2023 was registered on 04.07.2023 and an order was passed for issuing Notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. Mr. Jamaluddin Mia, General Secretary of Rastriya Mulnivasi Bahujan Karmchari Sangh has appeared along with Dharmendra Harijan. Mr. Proloy Dasgupta, the Management representative has appeared for Eastern Coalfields Limited. The case is fixed up today for taking steps and hearing on the point of maintainability of the Industrial Dispute. An affidavit has been filed by Dharmendra Harijan. On a perusal of the same, it appears that the dispute involved in the reference is regarding claim of the workman for change of surname. It is submitted by the union that Dharmendra Harijan wanted to change his surname from Harijan to Goutam but the same is not being recorded. The Schedule of the Dispute to the contrary has raised the question as to whether the action of the management of Khas Kajora Colliery in changing the surname of Dharmendra Harijan to Dharmendra Gautam in service record is justified or not. It appears from the language of the schedule as if surname of the person concerned has already been changed from Harijan to Gautam and this Tribunal has to decide whether such change of name is legal and justified. Mr. Proloy Dasgupta, management representative of Khas Kajora Colliery submitted that it is a demand of the workman that his surname should be changed from Harijan to Gautam and not that his surname has already been changed. I find that the grievance of the workman is against inaction of the management and it is not an Industrial Dispute. Certain procedure has to be followed for change in one's name.

3. Having considered all aspects, it appears to me that the Schedule framed is not consistent with the dispute raised by the workman and it does not reflect the actual dispute between the employer and employee. Under such circumstances the Reference case is dismissed as misconceived. Let a No Dispute Award be drawn up in light of my above observations.

Hence,

ORDERED

that a No Dispute Award be drawn up in respect of the above Reference case. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 15 मई, 2024

का.आ. 990.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण - सह - श्रम न्यायालय, आसनसोल के पंचाट (सन्दर्भ संख्या 02/2020) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04/05/2024 को प्राप्त हुआ था।

[सं. एल-22013/01/2024-आई.आर. (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 15th May, 2024

S.O. 990.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (**Reference. I.D. No. 02/2020**) of the **Central Government Industrial Tribunal-cum-Labour Court, Asansol** as shown in the Annexure, in the industrial dispute between the Management of **E.C.L.** and their workmen, received by the Central Government on **04/05/2024**.

[No. L-22013/01/2024- IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL.**

PRESENT: Shri Ananda Kumar Mukherjee,
Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

L. C. APPLICATION NO. 02 OF 2020

PARTIES: Ranjit Banerjee
Vs.

Dy. General Manager (E&M)/Agent of
Barakar Engineering and Foundry Works, ECL and 3 Others.

REPRESENTATIVES:

For the Union/Workman : Mr. Ranjit Banerjee (in person).
 For the Management of ECL : Mr. P. K. Das, Adv.

INDUSTRY: Coal.

STATE: West Bengal.

DATED: 05.03.2024

AWARD

1. Mr. Ranjit Banerjee, aggrieved workman has appeared in person. The Deputy General Manager (E&M) of Barakar Engineering and Foundry Works under M/s. Eastern Coalfields Limited is represented by Mr. P. K. Das, learned advocate. Instant application has been filed by the petitioner under Section 33 (C) of the Industrial Disputes Act, 1947 on 19.08.2020 seeking an order for payment of House Rent Allowance to the petitioner as per provision of National Coal Wage Agreement for the period from 1981 to 2013.

2. The case is fixed up today for evidence of both parties, in default, the same is to be disposed of. No evidence is adduced. Heard Mr. Banerjee. It is submitted that no quarters was allotted to him during the period from 1981 to 2013 but after several representation House Rent Allowance was not paid to him according to the provision of National Coal Wage Agreement applicable to the company and workmen. At the relevant time, Mr. Banerjee submitted that during the said period he was residing at a Bungalow of Eastern Coalfields Limited at Neamatpur Workshop which was lying in a bad state of repair and is still occupying the same.

3. Mr. P. K. Das, learned advocate raised strong objection against the prayer for recovery of House Rent Allowance. It is submitted that Mr. Banerjee has superannuated from service and not on company's roll from 01.04.2013. Furthermore, he has not submitted any particulars or details of the amount of his claim from the company on account of House Rent Allowance. It is pointed out that Mr. Banerjee is occupying the quarters all through and is still occupying the same after his superannuation. Therefore, he is not entitled to any relief and the case should be dismissed.

4. Perused the application and para-wise written objection submitted by the Agent of Barakar Engineering and Foundry Works, Eastern Coalfields Limited. Considering the materials before the Tribunal and the submissions made and the submission made.

I find that this application has been made after a period of seven (7) years of superannuation from service.

5. According to section 33(C) of Industrial Disputes Act, 1947 "*where any money is due to a workman from an employer under a settlement or an award or under the provisions of Chapter VA or Chapter VB, the workman himself or any other person authorized by him in writing in this behalf, or, in the case of death of the workman, his assignee or heirs may, without prejudice to any other mode of recovery, make an application to the appropriate Government for the recovery of the money due to him, Provided that every such application shall be made within one year from the date on which the money became due to the workman from the employer.*"

I find this application has been made after a lapse of the statutory period of one year from the time the claim is allegedly due and no reason has been assigned for the delay in filing the application. It is to be borne in mind that the petitioner is occupying a public premises without any official approval and he needs to vacate the same instead of claiming House Rent Allowance. Facts and circumstances of this case prompts me to hold that there is nothing on record which would help in computing any amount payable to the petitioner as House Rent Allowance. In other words, petitioner is not found entitled to get House Rent Allowance and his application under section 33 (C) of Industrial Disputes Act, 1947 stands dismissed on contest.

Hence,

ORDERED

Let an Award be passed in view of the above discussion. Copies of the Award in duplicate be sent to the Ministry of Labour, Govt. of India, New Delhi under section 33 C (4) of Industrial Dispute Act, 1947 for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 15 मई, 2024

का.आ. 991.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण - सह - श्रम न्यायालय, आसनसोल के पंचाट (सन्दर्भ संख्या 27/1993) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04/04/2024 को प्राप्त हुआ था।

[सं. एल-22012/48/93-आई.आर. (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 15th May, 2024

S.O. 991.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (**Reference. I.D. No. 27/1993**) of the **Central Government Industrial Tribunal-cum-Labour Court, Asansol** as shown in the Annexure, in the industrial dispute between the Management of **E.C.L.** and their workmen, received by the Central Government on **04/05/2024**.

[No. L-22012/48/93– IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL.

PRESENT: Shri Ananda Kumar Mukherjee,
Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 27 OF 1993

PARTIES: Smt. Malati Mejhain

Vs.

Management of Kalipahari (R) Colliery of ECL

REPRESENTATIVES:

For the Union/Workman : None
For the Management of ECL : Mr. P. K. Das, Adv.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 20.03.2024.

AWARD

In exercise of powers conferred under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Government of India through the Ministry of Labour, vide its Order **No. L-22012/48/93-IR(C.II)** dated 07.06.1993 has been pleased to refer the following dispute between the employer, that is the Management of Kalipahari (R) Colliery under Sripur Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the management of Kalipahari (R) Colliery of M/s. E.C.Ltd. in dismissing Smt. Malati Mejhain, Wagon Loader w.e.f. 28.10.88 from the services vide charge sheet No. KGT/KPH/87/1137 dated 15.07.84 is legal and justified? If not, to what relief the workman is entitled to?”

1. On receiving Order **No. L-22012/48/93-IR(C.II)** dated 07.06.1993 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 27 of 1993** was registered on 14.06.1993 and an order was passed for issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. Mr. P. K. Das, learned advocate for ECL is present. The case is fixed up today for appearance of Smt. Malati Mejhain and hearing of case, in default, for its disposal in accordance with law. On a perusal of record, I find that in compliance with order dated 22.12.2023 Notice was issued to Malati Mejhain at her residential address under registered post. On repeated calls at 1.50 p.m. none appeared for the aggrieved employee.

3. Written statements were submitted by Malati Mejhain on 16.11.1993 and on behalf of the employer on 17.12.1993. Mr. S. K. Pandey, union representative had adduced evidence and was examined as workman witness - 1 for union on 03.04.1997, stating therein that Malati Mejhain was dismissed from service since 28.10.1988 but order of dismissal was not served on her. Furthermore, Charge Sheet was not served on her and no Notice of enquiry was issued. Witness also denied that Malti Mejhain was continuously absent from the year 1986 onwards, till the year 1987. Witness has not been cross-examined on behalf of the management. No evidence is adduced on behalf of the management. Case is pending for three decades and no step has been taken on behalf of the union.

4. Considering the materials on record it is apparent that allegation of illegal dismissal has not been controverted by the management by cross-examining WW-1 or adducing evidence. However, as Malati Mejhain and the union have not taken steps, I am not inclined to pass any order on merit of this case and hold that the Industrial Dispute stands dismissed for non-prosecution and the same is disposed in the form of a No Dispute Award.

Hence,

ORDERED

that a No Dispute Award be drawn up in respect of the above Reference case. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 15 मई, 2024

का.आ. 992.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण - सह - श्रम न्यायालय, आसनसोल के पंचाट (सन्दर्भ संख्या 09/2022) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04/05/2024 को प्राप्त हुआ था।

[सं. एल-22012/30/2022-आई.आर. (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 15th May, 2024

S.O. 992.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (**Reference. I.D. No. 09/2022**) of the **Central Government Industrial Tribunal-cum-Labour Court, Asansol** as shown in the Annexure, in the industrial dispute between the Management of **E.C.L.** and their workmen, received by the Central Government on **04/05/2024**.

[No. L-22012/30/2022- IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL.**

PRESENT: Shri Ananda Kumar Mukherjee,
Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 09 OF 2022

PARTIES: Mina Devi
(widow of Late Sitaram Singh)

Vs.

Management of Ratibati (R) Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.

For the Management of ECL: Mr. P. K. Das, Adv.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 15.03.2024.

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Government of India through the Ministry of Labour, vide its Order **No. L-22012/30/2022-IR(CM-II)** dated 11.04.2022 has been pleased to refer the following dispute between the employer, that is the Management of Ratibati (R) Colliery under Satgram Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the demand of Union i.e. Koyala Mazdoor Congress for payment of monetary compensation from October, 1995 to February, 1997 to Smt. Mina Devi, Wife of Late Sitaram Singh, Ex-Pump Khalasi on the basis of management letter No. SAT/GM/PER/Empl/4090/97/666 dated 17/18.1.1997 issued by G.N.Singh, Dy. Chief Personnel Manager, Satgram Area of M/s. ECL is legal and justified? If yes, to what relief Smt. Mina Devi, Wife of Late Sitaram Singh is entitled and what direction are necessary in this regard?”

1. On receiving Order **No. L-22012/30/2022-IR(CM-II)** dated 11.04.2022 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 09 of 2022** was registered on 13.04.2022 / 01.07.2022 and an order was passed for issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.
2. Union representative for the dependent of the deceased employee filed written statement on 07.11.2022. The management of Eastern Coalfields Limited (hereinafter referred to as ECL) contested the case by filing written statement on 25.01.2023. Brief fact of the case according to the written statement of the union is that Sitaram Singh, was posted at Chapui Khas Colliery of ECL as Pump Khalasi. He died on 12.09.1995 leaving behind Mina Devi, as widow and Yogendra Singh, his son who was less than 18 years of age at the relevant time. The proposal for employment of dependent wife was considered by the Screening Committee at the Colliery level and it was informed that the wife could not be provided any employment as per National Coal Wage Agreement (hereinafter referred to as NCWA). An order was passed for payment of monetary compensation to Mina Devi and providing employment to the dependent son after he attained 18 years. When Yogendra Singh attained the age of 18 years management did not provide employment to the son nor did they pay monetary compensation to Mina Devi from the date of death of the employee. The employer company paid monetary compensation to Mina Devi from March, 1997 to 04.1.1999 and stopped the payment thereafter. On the basis of order of the Hon'ble High Court management provided employment to the dependent son on 20.03.2015 but no further monetary compensation was paid to the wife in terms of NCWA – V. Mina Devi requested the management to pay monetary compensation to her till employment was provided to her son.
3. Management of ECL in their written statement stated that Mina Devi claimed for employment on 11.03.1996, after the death of her husband. However, the Area Office did not agree to provide employment to her as she had an eligible son, Yogendra Singh, who would be entitled to employment after attaining the age of 18 years. Further case of ECL was that Mina Devi received monetary compensation of Rs. 2000/- per month as maintenance allowance as per Clause 9.5.0 (iii) of NCWA – V till her son attained the age of 18 years. The same was communicated to her with advice to submit bank details and she had been paid Rs. 2000/- per month till her son was 18 years of age i.e. on 04.1.1999. It was averred in their written statement that monetary compensation was paid to Mina Devi for the period from March, 1997 to 04.01.1999, according to the norms of the company and order of competent authority. It is asserted that the action of the management is justified in denying the employment of Mina Devi and she was not entitled to any relief or reliefs from the Tribunal and the case was fit to be dismissed.
4. After exchange of copies of written statement between parties the case was fixed up for evidence. Mina Devi, widow of Late Sitaram Singh filed an affidavit-in-chief and she faced the cross-examination on 12.04.2023. The union has produced four documents in support of their case as follows :
 - (i) Photocopy of the death Certificate of Late Sitaram Singh has been marked as Exhibit W-1;
 - (ii) Photocopy of the letter dated 17/18.01.1997 issued by Deputy Chief Personnel Manager of Satgram Area addressed to the Agent of Ratibati (R) Colliery, as Exhibit W-2;
 - (iii) Photocopy of the letter dated 27.06.2013 issued by the Assistant Manager (Personnel) of Chapuikhas Colliery to the Chief Manager (Personnel) of Satgram Area, informing that monetary compensation has been paid to the dependant from March 1997 to 04.01.1999, as Exhibit W-3; and
 - (iv) Photocopy of the letter of appointment of Yogendra Singh dated 09/12.03.2015, as Exhibit W-4.
5. In cross-examination the witness denied the suggestion that she was not entitled to monetary compensation due to her husband's premature death. She admitted that monetary compensation was paid to her by the management for a certain period but claimed that it was not according to the provision of NCWA.

6. The management of ECL examined Mr. Kalyan Roy, Deputy Manager (Personnel) as Management witness -1. In his affidavit-in-chief the witness stated that Sitaram Singh, ex-Pump Operator of Chapuikhas Colliery expired on 12.09.1995 while he was in service. His widow claimed for employment in place of her husband but she was advised to accept monetary compensation and wait for employment of her son. After attaining the age of 18 years, Yogendra Singh, son of the deceased employee was provided employment. The son attained 18 years of age on 04.01.1999 and Mina Devi was paid monetary compensation of Rs. 2000/- per month from March 1997 to 04.01.1999 according to the rules applicable and order of the competent authority. It is further contended in the affidavit-in-chief that Mina Devi was not entitled to any monetary compensation after 04.01.1999 till the date of employment of Yogendra Singh. Management produced four documents in support of their case as follows :

- (i) Photocopy of the letter of appointment of Yogendra Singh dated 09/12.03.2015 has been marked as Exhibit M-1;
- (ii) Photocopy of the Office Order dated 20.03.2015 issued to Yogendra Singh for his joining in service, as Exhibit M-2;
- (iii) Photocopy of the application submitted by Mina Devi for monetary compensation from August 1998 to January 1999, as Exhibit M-3; and
- (iv) Photocopy of the letter dated 27.09.2013 issued by the Assistant Manager (Personnel), Chapuikhas Colliery addressed to the Chief Manager (Personnel), Satgram Area, disclosing that monetary compensation to the dependent of Late Sitaram Singh has been paid from March 1997 to 04.01.1999, as Exhibit M-4.

7. In cross-examination management witness – 1 deposed that monetary compensation was paid to the widow of deceased from 03/1997 to 04.01.1999 i.e. till her son attained 18 years of age. It was admitted by the witness that no monetary compensation was paid to the dependent from the date of death to February 1997. The witness could not state the reason for delay of sixteen years in providing employment to the dependent son after he attaining majority. The witness denied the suggestion put to him that the female dependent of deceased employee was entitled to monetary compensation so long the dependent son was not provided employment even after attaining majority.

8. The short question which has arisen for consideration is whether the female dependent of deceased workman is entitled to monetary compensation from the date of death of the employee till providing employment to the dependent.

9. Admittedly, Sitaram Singh died on 12.09.1995 and it finds support from Exhibit W-1, the Death Certificate. At the relevant time Yogendra Singh, the son of Late Sitaram Singh was a minor and his name was kept on the live roster for providing employment when he attained the age of 18 years. It is undisputed that monetary compensation was paid to Mina Devi from 03/1997 till 04.01.1999 on the ground that the son attained majority on 04.01.1999. Letter dated 27.06.2013 (Ext. W-3 and M-4) bears testimony to the facts of payment of monetary compensation for a short period. Mina Devi, in her evidence claimed monetary compensation from the date of death of her husband till February 1997 and from 05.01.1999 to 20.03.2015, the date of appointment of her son.

10. Reverting back to the provision of Paragraph (iii) of Clause 9.5.0 of NCWA – V regarding payment of monetary compensation, it lays down as follows

“In case of death either in mine accident or for other reasons or medial unfitness under clause 9.4.0, if no employment has been offered and the male dependant of the concerned worker is 15 years and above in age he will be kept on a live roster and would be provided employment commensurate with his skill and qualifications when he attains the age of 18 years. During the period the male dependant is on live roster the female dependant will be paid monetary compensation as per rates at paras (i) & (ii) above.”

Paragraph (iv) of Clause 9.5.0 of NCWA – V provides that :

“Monetary compensation, wherever applicable, would be paid till the female dependant attains the age of 60 years.”

11. Sitaram Singh died at the Central Hospital, Kalla, Asansol. There is no material on record nor has any claim been raised that the workman died due to any accident in the mine. Therefore, ordinarily in case of death in harness the female dependent is entitled to monetary compensation at the rate of Rs. 2000/- per month from the date of death of the employee till the male dependent kept in the live roster for providing employment or till the female dependent attains the age of 60 years, whichever is earlier. In the present case the management of the company instead of providing employment to the dependent widow, issued a letter dated 17/18.01.1997 (Ext. W-2) whereby the Agent of Ratibati (R) Colliery was informed that the ex-workman had a son named Yogendra Singh, age 15 to 17 years as on 04.01.1997 and after Yogendra Singh attained 18 years he would be entitled to get employment in place of his deceased father and Mina Devi would get Rs. 2000/- per month as maintenance allowance till her son attains the age of 18 years, as per NCWA – V. There is no qualm regarding non providing employment to Mina Devi. The management in the written statement unnecessarily dealt with the claim for employment of Mina Devi though, it has not been referred in the Schedule for adjudication. Yogendra Singh the son of Late Sitaram Singh has been provided with employment under the company on the basis of letter dated 20.03.2015 as a Time Rated Trainee (Underground).

No reason has been assigned for the inordinate delay on the part of employer company in complying the provisions of NCWA – V after the dependent son attained majority on 04.01.1999. I am of the view that once the name of the dependent son was kept in the live roster, he is said to be in the live roster till employment is provided or finally refused. It cannot be said that the female dependent is entitled to monetary compensation until the male dependent attains the age of 18 years, without any employment been provided to him. Clause 9.5.0 of NCWA – V incorporates a specific precondition to be fulfilled before stopping monetary compensation, that is, providing of employment to the male dependent. Paragraph (iv) of Clause 9.5.0 of NCWA – V casts aside the ambiguity by clearly laying down that: “Monetary compensation, wherever applicable, would be paid till the female dependant attains the age of 60 years.”

12. In the present case Mina Devi disclosed her age was sixty years as on 12.04.2023. Under such circumstance I find and hold that the female dependent of the deceased employee is entitled to monetary compensation not only from March 1997 till 04.01.1999 but the management is duty bound under NCWA – V to pay monetary compensation to the female dependent, the widow, from the date of death of the employee i.e. 12.09.1995 till the date of employment of Yogendra Singh under ECL on 20.03.2015. The Industrial Dispute is accordingly decided in favour of Mina Devi and against the Management of ECL. The management of ECL is directed to assess and disburse the remaining amount of monetary compensation within three (3) months from the date of Notification of the Award.

Hence,

ORDERED

that the Industrial Dispute is allowed on contest in favour of Mina Devi. An award be drawn up in her favour for payment of monetary compensation for the unpaid period from 12.09.1995 till February 1997 and from 05.01.1999 till the date of appointment of Yogendra Singh under ECL on 20.03.2015. The balance amount of monetary compensation be assessed and disbursed within three (3) months from the date of Notification of the Award.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 15 मई, 2024

का.आ. 993.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण – सह – श्रम न्यायालय, आसनसोल के पंचाट (सन्दर्भ संख्या 05/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04/05/2024 को प्राप्त हुआ था।

[सं. एल-22012/54/2011-आई.आर. (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 15th May, 2024

S.O. 993.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (**Reference.I.D.No. 05/2012**) of the **Central Government Industrial Tribunal-cum-Labour Court, Asansol** as shown in the Annexure, in the industrial dispute between the Management of **E.C.L.** and their workmen, received by the Central Government on **04/05/2024**.

[No. L-22012/54/2011– IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL.

PRESENT: Shri Ananda Kumar Mukherjee,
Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 05 OF 2012

PARTIES: Tapas Kora
(dependent son of Late Niyati Kora)
Vs.
Management of Jambad Colliery of ECL

REPRESENTATIVES:

For the Union/Workman : Mr. Milan Kumar Bandyopadhyay, Advocate.

For the Management of ECL : Mr. P. K. Das, Advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 28.03.2024

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Government of India through the Ministry of Labour, vide its Order **No. L-22012/54/2011-IR(CM-II)** dated 20.03.2012 has been pleased to refer the following dispute between the employer, that is the Management of Jambad Colliery under Kajora Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of Jambad Colliery, Kajora Area of M/s ECL in not providing dependent employment to Sri Tapas Kora dependent son of Lt. Niyati Kora, Ex. Wagon Loader as per provisions of N.C.W.A is legal & justified? If not, what relief the workman is entitled to?”

1. On receiving Order **No. L-22012/54/2011-IR(CM-II)** dated 20.03.2012 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 05 of 2012** was registered on 09.04.2012 and an order was passed for issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. Written statement was filed by Tapas Kora on 23.05.2012 through Mr. Niren Chandra Das, Organizing Secretary, Colliery Republican Mazdoor Sabha (BMM), Union. The management of Eastern Coalfields Limited (hereinafter referred to as ECL) contested the case by filing their written statement on 03.07.2013. The fact of the case, in brief, as disclosed by union is that Late Niyati Kora was a permanent employee at Jambad Colliery under Kajora Area of ECL. She was appointed in the service on 21.01.1984. Initially, Niyati Kora nominated Tapas Kora for employment under Female Voluntary Retirement Scheme (hereinafter referred to as FVRS) but her prayer was not allowed as the scheme was abolished. Niyati Kora died on 01.01.1993 while she was in service of the company. According to the provisions of Clause 9.3.2 of National Coal Wage Agreement (hereinafter referred to as NCWA) – V one of the dependent of the permanent employee is entitled to employment in place of the deceased employee. Tapas Kora, dependent son of Late Niyati Kora submitted an application before the management of the company for providing him with employment as a dependent of his mother. The other son and daughter filed “no objection” in favour of Tapas Kora. It is stated that the management of ECL did not consider the application for employment in place of his mother and also refused to pay the gratuity amount in respect of Late Niyati Kora. Subsequently the company issued a direction for payment of gratuity amount to Tapas Kora, the son of Late Niyati Kora. After repeated request the management intentionally and illegally denied employment to the petitioner. It is the case of the union that Tapas Kora is still unemployed and his financial condition is bad. It is asserted that the petitioner’s claim for employment as dependent is genuine.

3. In the written statement filed by the management it has been contended that the Industrial Dispute is a belated one and raised after a lapse of 14 years. Due to such inordinate delay the Reference case is liable to be dismissed. Further case of the management is that Late Niyati Kora, Ex-Wagon Loader, during her lifetime opted for FVRS and nominated Tapas Kora for employment. The scheme was abolished. Once again after the death of Niyati Kora, Tapas Kora claimed to be her son and applied for employment. On examination of the claim for employment it was revealed that the photograph of Tapas Kora which was submitted by Late Niyati Kora did not match with the present petitioner. It is contended that the claim for employment of Tapas Kora is fraudulent. He impersonated as Tapas Kora either in the application submitted during lifetime of Late Niyati Kora under the FVRS or after her death with ulterior motive to get employment by defrauding the company. They denied that the claimant’s photograph affixed in the two applications were identical, of the same person or there was no discrepancy. It is urged that the management of ECL is absolutely justified in not providing employment to the claimant whose identity is disputed.

4. In order to substantiate his claim for employment Tapas Kora examined himself as Workman Witness – 1 and filed his affidavit-in-chief. In his affidavit-in-chief he stated that Niyati Kora, Ex-Wagon Loader at Jambad Colliery was his mother and she died on 01.01.1993 while she was on the roll of the company. During her lifetime she had applied for employment of Tapas Kora under FVRS. The management did not process the employment proposal of Tapas Kora on the ground that his previous photograph, submitted for employment under FVRS did not match with the present photograph, filed after the death of Niyati Kora. It is averred that Tapas Kora received the gratuity amount of Late Niyati Kora as directed by the Assistant Labour Commissioner (Central), Asansol. He has also filed his Voter

Identity Card, Relationship Certificate issued by the Pradhan, Death Registration Certificate of Niyati Kora, Ration Card, Service Record Excerpt of Late Niyati Kora, Relationship Certificate with details of family members, issued by the Pradhan and the B.D.O of Saltora Block Office, and Driving License issued by the Motor Vehicle Department, Durgapur. It is urged that the action of management in not providing employment to him is improper. The witness was re-examined on recall for admitting some documents in evidence. Workman Witness -1 has produced photocopy of his Voter Identity Card as Exhibit WW-1; photocopy of his Aadhaar Card, as Exhibit WW-2; Photocopy of his Ration Card, as Exhibit WW-3; photocopy of the Service Record Excerpt of Late Niyati Kora, as Exhibit WW-IV; photocopy of the Death Certificate of Niyati Kora, as Exhibit WW-V, photocopy of the Screening Committee's Report, as Exhibit WW-VI; photocopy of the letter dated 07/15.06.2010 denying employment to the dependent son of Late Niyati Kora, as Exhibit WW-VII; photocopy of the application nominating dependent for employment under FVRS, as Exhibit WW-VIII; photocopy of the Relationship Certificate, as Exhibit WW-IX.

5. In course of cross-examination the workman witness denied that the photograph submitted by Late Niyati Kora at the time of nominating her son for employment and the application submitted by him, bearing photograph were of different persons. The witness stated that he has a Driving License, where his father's name appears as Naba Kora. It is further stated that Abhiram Kora is the husband of Late Niyati Kora. The witness deposed in his cross-examination that his father's name appearing in the Driving License is a printing mistake and that he is driving motor vehicle with the same license. The witness denied that he is not Tapas Kora or that he is not the son of Late Niyati Kora. He further denied that his father's name is Naba Kora.

6. Parimal Kora, son of Late Abhiram Kora and Sulochana Mudi, married daughter of Late Abhiram Kora have filed affidavit-in-chief in support of the claim of Tapas Kora. Sulochana Mudi has not appeared for her cross-examination. Parimal Kora deposed as Workman Witness – 2. In his evidence-in-chief he deposed that Tapas Kora is a driver and worked under a private agency. His brother has claimed employment under ECL as a dependent of his mother and he has no objection if his brother gets employment under ECL. In cross-examination the witness stated that they have one sister whose name is Sulochana Mudi. In course of cross-examination identity of Tapas Kora has not been disputed by ECL.

7. Management examined two witnesses. Mr. Budhram Mandal, Assistant Manager (Personnel) of Jambad Colliery filed an affidavit-in-chief and was cross-examined in part. In his cross-examination the witness deposed that the competent authority ordered the payment of Gratuity in favour of Tapas Kora. He also deposed that unit level screening committee is competent to close the file relating to employment proposal. Witness further stated that when any dispute arises regarding genuineness of identity and genuineness of relationship between the petitioner and the ex-workman, report of three men's Committee is held and Police Verification is sought for but in the present case no such Police Verification was made.

8. Mr. Ashish Mohan, Deputy Manager (Personnel) at Jambad Colliery filed an affidavit-in-chief on 16.10.2023 and produced some documents as follows :

- (i) Photocopy of the Attestation Form in four pages has been marked as Exhibit M-1.
- (ii) Photocopy of the Relationship Certificate of Tapas Kora in respect of Late Niyati Kora issued by the Pradhan and the Block Development Officer, Saltora, Bankura, as Exhibit M-2.
- (iii) Photocopy of the Service Record Excerpt of Late Niyati Kora, as Exhibit M-3.
- (iv) Photocopy of the Application of Tapas Kora dated 07.07.1993 for employment, as Exhibit M-4.
- (v) Photocopy of the Application of Tapas Kora dated 26.08.1994 submitting Attestation Form, Relationship Certificate, No Objection Certificate, Family details Certificate, and Death Certificate of Niyati Kora is marked as Exhibit M-5.
- (vi) Photocopy of the Report of the Screening Committee in three pages collectively, as Exhibit M-6.

9. In his cross-examination the witness deposed that Tapas Kora has put his signature on the Screening Committee's report, which is marked as Exhibit M-6/A. It may be gathered from the cross-examination that the company did not lodge any complaint against the appellant regarding any practice of fraud by Tapas Kora or that he was trying to cheat the company by impersonation. Witness disclosed that higher authority did not consider the matter. The witness is also unaware about the payment of his mother's gratuity made to Tapas Kora. The witness stated that Tapas Kora is entitled to employment as a dependent, if he is the son of Late Niyati Kora.

10. Mr. Milan Kumar Bandyopadhyay, learned advocate for the dependent of Late Niyati Kora, advancing his argument submitted that during the lifetime, Niyati Kora applied for voluntary retirement under FVRS and applied for service of Tapas Kora, her son. The scheme was abolished on 02.06.1993 but Niyati Kora died on 01.01.1993, while in service and before abolition of the FVRS. Thereafter Tapas Kora applied for his employment as a dependent under the provisions of NCWA. It is argued that the management with an oblique motive to deprive Tapas Kora from his rightful claim of employment had disputed that photograph appearing on the Attestation Form for the FVRS that it

belonged to some other person and was not of Tapas Kora. Learned advocate asserted that the photograph on the Attestation Form was of Tapas Kora and his father's name appeared as Late Abhiram Kora. It is further submitted that after the death of his mother, Tapas Kora submitted his application dated 07.07.1993 for employment against the death of his mother, i.e. within a very short period from the death of his mother. The Screening Committee of the management examined various documents and on 08.04.1995 and observed that nothing appeared doubtful about the relationship of Tapas Kora and on considering the documents such as Indemnity Bond, Relationship Certificate / Attestation Certificate issued by the Block Development Officer of permanent locality, the Committee recommended Tapas Kora for employment against his claim. Learned advocate argued that the management deliberately delayed the matter and the delay in considering the dependent's case for employment can be attributed to the management. It is argued that Tapas Kora, being the dependent son, he is entitled to get employee under NCWA applicable to him.

11. Mr. P. K. Das, learned advocate for the management, in reply, argued that Tapas Kora is not entitled to any employment as a dependent of Late Niyati Kora due to the fact that Late Niyati Kora while nominating Tapas Kora, for employment affixed photograph of different person other than Tapas Kora. Furthermore, at the time of appearance of Tapas Kora before the Screening Committee of the company it was revealed that the age of Tapas Kora as 18 years as on 01.04.1987 in the Service Record of Late Niyati Kora, while her date of birth was recorded as 01.07.1963 which implies that Tapas Kora was only six (6) years younger to Late Niyati Kora, which is absurd and impossible and is an outcome of impersonation of Tapas Kora as a son of Late Niyati Kora. Learned advocate further argued that in cross-examination Tapas Kora (ww-1) admitted that he has a Driving License wherein his father's name is recorded as Naba Kora. Though the witness claims the same to be a mistake in printing, he admitted that he is using the Driving License at the time of driving motor vehicle. Learned advocate submitted that unless such discrepancies relating to the name, age, and identity are clarified to the satisfaction of the company no employment could be provided to Tapas Kora.

12. I have perused the Industrial Dispute referred for adjudication along with the written statement and evidence of both parties. Also considered the argument advanced by the learned advocates in support of their respective cases.

13. Instant reference has been made by the Government of India in exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), as a consequence of failure of conciliation proceeding before the Conciliation Officer. Niyati Kora, an employee of ECL at Jambad Colliery, expired on 01.01.1993 and an application was submitted by Tapas Kora, son of Late Niyati Kora on 07.07.1993 praying for providing him with employment against the death of his mother. A Photocopy of the said application has been produced as Exhibit M-4. A Photocopy of Death Registration Certificate has been placed on record as Exhibit WW-V. The dependent appears to have laid his claim for employment according to the provisions of NCWA at the earliest point of time and within a period of six (6) months and six (6) days from the date of death. The management took two years to arrange for holding screening test of Tapas Kora. On his appearance before the Screening Committee, Tapas Kora disclosed that Late Abhiram Kora, his father was also an employee of ECL. At the relevant time he was six to seven years of age when employment was provided to his mother who actually was an insane person and died on 01.01.1993, leaving behind two sons and one daughter. Tapas Kora stated before the Screening Committee that he is the eldest son and his sister was married during the lifetime of his mother. Regarding nomination of any other person by the name of Tapas Kora as the son of the employee for employment, Tapas Kora stated that he has no knowledge about the same. Regarding the photograph appearing on the Attestation Form, Tapas Kora identified the person as Pawan Kora, son of Balram Kora, his paternal uncle. Nothing has been brought on record by the management that such Attestation Form was submitted at the instance of Tapas Kora. Therefore, Tapas Kora cannot be held responsible if any racket was functioning at different levels to make provision for employment of any other person using the name of Tapas Kora against his interest. To my mind the management of ECL is dutybound to unearth such malpractice and identify the persons responsible for such offence of impersonation. The Screening Committee of the company, long back in 1995 was satisfied to recommend Tapas Kora for employment subject to his medical fitness. It is to be borne in mind that a person cannot impersonate himself. Such finding of the Screening Committee supports the claim of Tapas Kora. The pretext on which the company denied the employment to the dependent son of the deceased, that there was impersonation of Tapas Kora for FVRS is unfounded and cannot deprive the claimant of his employment.

14. The dependent son of the deceased employee was eighteen years of age on 01.04.1987, therefore on 01.01.1993 Tapas Kora was twenty-four years of age. From array of documents like PAN Card and Voter Identity Card it appears that the year of birth of Tapas Kora is 1970. Therefore, the age of Tapas Kora appearing as eighteen years in the Service Record of his mother does not raise any doubt regarding his age at the relevant time. At this stage no occasion has arisen for considering the correctness of age of Late Niyati Kora as recorded in the Service Record. Any mistake in recording her age in the Service Record at the time of joining service cannot destroy the right for employment of Tapas Kora, which arise from the agreed terms of NCWA.

15. In a letter dated 07.06.2010 / 15.06.2010 issued by the Deputy Personnel Manager (Empl)ED, ECL, Headquarters, addressed to the Assistant Labour Commissioner (Central), Asansol on the subject matter of denial of employment to the son of Late Niyati Kora (Exhibit WW-VII), it was stated that on examination of claim for employment it was found that the photograph of Tapas Kora, does not tally / match with the photograph of Tapas

Kora submitted by Niyati Kora during her nomination, when she declared Tapas Kora as her son under FVRS. On the basis of such mismatch of photograph, the management of the company has reached to a conclusion that Tapas Kora has impersonated himself as the dependent son of the deceased employee, either in the application submitted during the lifetime of Late Niyati Kora or after her death and for such a reason there is no merit in the claim for employment. I did not find any substance in such allegation of the management. Tapas Kora cannot be held responsible for affixing photograph of some other person claiming employment under FVRS. Such act does not serve interest of the dependent son and it cannot be used to his disadvantage. The management has miserably failed to adduce any evidence to establish that Tapas Kora was responsible for such act, which is actually against his interest. The stand adopted by the management depriving Tapas Kora of his employment is violative of the agreed terms of NCWA and hence unsustainable.

16. On a conspectus of available material and the evidence adduced by the parties, I hold that the management of ECL has committed undue delay in providing employment to the son of deceased employee. If for argument's sake it is accepted that there was any substance in the complaint of impersonation at the instance of Tapas Kora. The management was dutybound to perform Police Verification for ascertaining the genuineness of the person, which is the usual course adopted by the management in other cases. In absence of any such steps by the management it is presumed that there was no ambiguity in the genuineness of Tapas Kora being son of Late Niyati Kora, it is also reflected in the Page 2 of the Screening Committee's Report that nothing was doubtful. It is also appeared that Gratuity of Late Niyati Kora was released in favour of Tapas Kora in June 2009 and March 2011. The management did not deny such averments in Paragraph 5 of the affidavit-in-chief nor have they denied the claim. Several years have passed since this dispute has been raised before the Assistant Labour Commissioner (Central), Asansol and thereafter referred to this Tribunal as an Industrial Dispute in the year 2012. I find no lacuna or fault on the part of Tapas Kora, as he laid claim for employment soon after his mother's death. The management has committed delay in taking proper decision within time and thereby frustrated the dependent's claim for employment under Clause 9.3.2 of NCWA – V. To observe fairness of things the management is dutybound to finalize the claim for employment of Tapas Kora within one (1) month from the date of communication of the Award. The Industrial Dispute is accordingly decided in favour of the petitioner on contest against the management.

Hence,

ORDERED

that an Award be drawn up in favour of Tapas Kora, dependent son of Late Niyati Kora, ex-employee of ECL, directing the management of Jambad Colliery under Kajora Area of ECL to process the claim for employment within one (1) month from communication of the Award. Let copies of the Award in duplicate be sent to the Ministry of Labour, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 16 मई, 2024

का.आ. 994.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कोयला खान भविष्य निधि संगठन के प्रबंधन के संबद्ध नियोजको और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में **केन्द्रीय सरकार औद्योगिक अधिकरण – सह – श्रम न्यायालय, हैदराबाद के पंचाट (पहचान संख्या 61/2018)** को प्रकाशित करती है, जो केन्द्रीय सरकार को **17/05/2023** को प्राप्त हुआ था।

[सं. एल-22013/01/2024-आई.आर. (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 16th May, 2024

S.O. 994.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (**ID. No. 61/2018**) of the **Central Government Industrial Tribunal-cum-Labour Court, HYDERABAD** as shown in the Annexure, in the industrial dispute between the Management of **Coal Mines Provident Fund Organization** and their workmen, received by the Central Government on **17/05/2024**.

[No. L-22013/01/2024- IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT HYDERABAD

Present: - **Sri IRFAN QAMAR**

Presiding Officer

Dated the 26th day of March, 2024

INDUSTRIAL DISPUTE LC No. 61/2018

Between:

Smt. Pyndla Sagarika,

W/o Sampath Kumar,

R/o H.No.6-5-23, Power House Colony,

Godavarikhani, Karimnagar District.

.....Petitioner

AND

1. The Commissioner,
Coal Mines Provident Fund Organization,
Police Line, Hirapur,
Dhanbad, Jharkhand-826014.

2. The General Manager,
M/s. Coal Mines Provident Fund Regional Office,
Godavarikhani, Karimnagar District.
Telengana State

... Respondents

Appearances:

For the Petitioner : Sri R. Eshwar Prasad, Representative

For the Respondent : Representative

AWARD

Smt. Pyndla Sagarika who worked as Data Entry Operator (who will be referred to as the workman) has filed this petition under Sec. 2A(2) of the Industrial Disputes Act, 1947 against the Respondents CMPF Organization seeking for reinstatement into service duly granting all the consequential benefits such as continuity of service, back wages and all other attendant benefits etc., and such other reliefs as this court may deems fit.

2. On the date fixed for Ex-parte Petitioner's evidence, Petitioner called absent. The record shows that Petitioner is not attending the proceedings since 24.3.2023 and despite providing sufficient opportunity Petitioner has not adduced evidence to substantiate her claim. Hence. A 'No claim' award is passed. Transmit.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant and corrected by me on this the 26th day of March, 2024.

IRFAN QAMAR, Presiding Officer

Appendix of evidence

Witnesses examined for the

Witnesses examined for the

Petitioner

Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 24 मई, 2024

का.आ. 995.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निनल इंजीनियरिंग लिमिटेड; मेसर्स वैतरना ट्रैक्शन कम्पनी के प्रबंधतंत्र के संबद्ध नियोजकों और श्री तेजबीर के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़,

पंचाट (रिफरेन्स न.-12/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-59]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 995.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 12/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to Indian Oil Corporation Ltd; Mecneil Engineering Ltd; M/s Watrana Traction Company and Shri Tejbir which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024— IR (M)-59]

DILIP KUMAR, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH.

Present: Sh. Kamal Kant, Presiding Officer.

ID No. 12/2019

Registered on:-3.4.2019

Tejbir, S/o Piare Lal, VPO-Barauli, Ganjbar, Distt.-Panipat(HR).

.....Workman

Versus

1. Dy. General Manager, Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneil Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.
...Respondents/Managements

AWARD

Passed On:-05.04.2024

1. The workman Tejbir has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.
2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.
3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.
4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 996.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वाटरना ट्रैक्शन कम्पनी के प्रबंधन के संबद्ध नियोजकों और श्री दिलबाग के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़, पंचाट (रिफरेन्स नं.-13/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-60]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 996.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 13/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, **Chandigarh** as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneil Engineering Ltd; M/s Watrana Traction Company** and **Shri Dilbag** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024— IR (M)-60]

DILIP KUMAR, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH.

Present: Sh. Kamal Kant, Presiding Officer.

ID No. 13/2019

Registered on:-3.4.2019

Dilbag S/o Ram Bhaj, VPO-H.No.141, Near Chopal, Assadh, Distt.-Karnal(HR).

.....Workman

Versus

1. Dy. General Manager, Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneill Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi110009.

...Respondents/Managements

AWARD

Passed On:-05.04.2024

1. The workman Dilbag has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.
2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.

3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.

4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 997.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वैतरना ट्रैक्शन कम्पनी के प्रबंधतंत्र के संबद्ध नियोजकों और श्री विक्रम के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़, पंचाट (रिफरेन्स न.-14/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-61]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 997.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 14/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, **Chandigarh** as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneil Engineering Ltd; M/s Watrana Traction Company and Shri Vikram** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024- IR (M)-61]

DILIP KUMAR, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH.

Present: Sh. Kamal Kant, Presiding Officer.

ID No. 14/2019

Registered on:-3.4.2019

Vikram S/o Jai Singh, R/o VPO-437, Baholi(12), Panipat Refinery, Distt.-Panipat(HR).

.....Workman

Versus

1. M/s Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneil Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.
...Respondents/Managements

AWARD

Passed On:-05.04.2024

1. The workman Vikram has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.

2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case

be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.

3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.

4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 998.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वैतरना ट्रैक्शन कम्पनी के प्रबंधन के संबद्ध नियोजकों और श्री गुलाब सिंह के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़, पंचाट (रिफरेन्स न.-15/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-62]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 998.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 15/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, **Chandigarh** as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneil Engineering Ltd; M/s Watrana Traction Company and Shri Gulab Singh** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024- IR (M)-62]

DILIP KUMAR, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH.

Present: Sh. Kamal Kant, Presiding Officer.

ID No. 15/2019

Registered on:-3.4.2019

Gulab Singh S/o Balwan Singh, VPO-434, SHera Malauda, Israna, Distt.-Panipat(HR).

.....Workman

Versus

1. Dy. General Manager, Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneill Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.

...Respondents/Managements

AWARD**Passed On:-05.04.2024**

1. The workman Gulab Singh has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.
2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.
3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.
4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 999.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वाटरना ट्रैक्शन कम्पनी के प्रबंधन के संबद्ध नियोजकों और श्री राम चन्द्र सैनी के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़, पंचाट (रिफरेन्स नं.-16/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-63]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 999.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 16/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneil Engineering Ltd; M/s Watrana Traction Company and Shri Ram Chandra Saini** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024- IR (M)-63]

DILIP KUMAR, Under Secy.

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH.****Present: Sh. Kamal Kant, Presiding Officer.**

ID No. 16/2019

Registered on:-2.4.2019

Ram Chandra Saini S/o Ram Laxman Saini, VPO-Ward No.3, Lakheri Gaon, Distt.-Bundi(Rajasthan).

.....Workman

Versus

1. Dy. General Manager, Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneil Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.

...Respondents/Managements

AWARD**Passed On:-05.04.2024**

1. The workman Ram Chandra Saini has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.
2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.
3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.
4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 1000.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वैंटरना ट्रैक्शन कम्पनी के प्रबंधन के संबद्ध नियोजकों और श्री रोहताश के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़, पंचाट (रिफरेन्स न.-17/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-64]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 1000.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 17/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneil Engineering Ltd; M/s Watrana Traction Company and Shri Rohtash** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024- IR (M)-64]

DILIP KUMAR, Under Secy.

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH.****Present: Sh. Kamal Kant, Presiding Officer.**

ID No. 17/2019

Registered on:-3.4.2019

Rohtash S/o Paltu, VPO-Baholi, Distt-Panipat(HR).

.....Workman

Versus

1. Dy. General Manager, Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneil Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.

...Respondents/Managements

AWARD**Passed On:-05.04.2024**

1. The workman Rohtash has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.
2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.
3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.
4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 1001.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वैतरना ट्रैक्शन कम्पनी के प्रबंधन के संबंध नियोजकों और श्री सुनील कुमार के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़, पंचाट (रिफरेन्स न.-18/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-65]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 1001.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 18/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, **Chandigarh** as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneil Engineering Ltd; M/s Watrana Traction Company and Shri Sunil Kumar** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024- IR (M)-65]

DILIP KUMAR, Under Secy.

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH.****Present: Sh. Kamal Kant, Presiding Officer.**

ID No. 18/2019

Registered on:-3.4.2019

Sunil Kumar S/o Hardewa, R/o VPO-Urlan Kalan(51), Urlana Kalan, Distt.-Panipat.

.....Workman

Versus

1. Dy. General Manager, Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneill Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.

...Respondents/Managements

AWARD**Passed On:-05.04.2024**

1. The workman Sunil Kumar has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.
2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.
3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.
4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 1002.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वैतरना ट्रैक्शन कम्पनी के प्रबंधन के संबद्ध नियोजकों और श्री राजेश कुमार के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़, पंचाट (रिफरेन्स नं.-19/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-66]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 1002.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 19/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneil Engineering Ltd; M/s Watrana Traction Company and Shri Rajesh Kumar** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024- IR (M)-66]

DILIP KUMAR, Under Secy.

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH.****Present: Sh. Kamal Kant, Presiding Officer.**

ID No. 19/2019

Registered on:-5.4.2019

Rajesh Kumar S/o Sh. Om Prakash, VPO-Ball Jattan, Tehsil Mathlounda, Distt.-Panipat(HR).

.....Workman

Versus

1. Dy. General Manager, Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneill Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.

...Respondents/Managements

AWARD**Passed On:-05.04.2024**

1. The workman Rajesh Kumar has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.
2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.
3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.
4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 1003.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वैतरना ट्रैक्शन कम्पनी के प्रबंधन के संबद्ध नियोजकों और श्री राजिंदर कुमार के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़, पंचाट (रिफरेन्स न.-20/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-67]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 1003.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 20/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneil Engineering Ltd; M/s Watrana Traction Company and Shri Rajinder Kumar** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024- IR (M)-67]

DILIP KUMAR, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH.

Present: Sh. Kamal Kant, Presiding Officer.

ID No. 20/2019

Registered on:-3.4.2019

Rajinder Kumar S/o Ram Karan, VPO-444, Untla, Untiliya(44), Distt.-Panipat(HR).

.....Workman

Versus

1. Dy. General Manager, Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneill Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.

...Respondents/Managements

AWARD

Passed On:-05.04.2024

1. The workman Rajinder Kumar has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.
2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.
3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.
4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 1004.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वैतरना ट्रैक्शन कम्पनी के प्रबंधन के संबद्ध नियोजकों और श्री दलबीर सिंह के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़, पंचाट (रिफरेन्स न.-21/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-68]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 1004.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 21/2019) of the Central Government Industrial Tribunal cum

Labour Court-2, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneill Engineering Ltd; M/s Watrana Traction Company** and Shri **Dalbair Singh** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024- IR (M)-68]

DILIP KUMAR, Under Secy.

**ANNEXURE
IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH.**

Present: Sh. Kamal Kant, Presiding Officer.

ID No. 21/2019

Registered on:-5.4.2019

Dalbair Singh, S/o Sudhan Singh, VPO-Urlana Kalan(51), Urlana Kalan, Distt.-Panipat(HR).

.....Workman

Versus

1. Dy. General Manager, Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneill Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.

...Respondents/Managements

AWARD

Passed On:-05.04.2024

1. The workman Dalbair Singh has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.
2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.
3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.
4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 1005.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वैतरना ट्रैक्शन कम्पनी के प्रबंधन के संबद्ध नियोजकों और श्री बाबूराम के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़, पंचाट (रिफरेन्स नं.-22/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-69]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 1005.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 22/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, **Chandigarh** as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneil Engineering Ltd; M/s Watrana Traction Company** and **Shri Baburam** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024— IR (M)-69]

DILIP KUMAR, Under Secy.

ANNEXURE
IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH.

Present: Sh. Kamal Kant, Presiding Officer.

ID No. 22/2019

Registered on:-5.4.2019

Baburam S/o Dai Chand R/o VPO-Pabana, Hasnpur, Balrangran(70), Balrangran, Distt. Karnal).

.....Workman

Versus

1. M/s Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneill Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.

...Respondents/Managements

AWARD

Passed On:-05.04.2024

1. The workman Baburam has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.
2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.
3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.
4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 1006.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वैतरना ट्रैक्शन कम्पनी के प्रबंधतंत्र के संबद्ध नियोजकों और श्री सत्यवान पाल के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2,

चंडीगढ़, पंचाट (रिफरेन्स न.-23/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-70]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 1006.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 23/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, **Chandigarh** as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneil Engineering Ltd; M/s Watrana Traction Company and Shri Satyawan Pal** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024— IR (M)-70]

DILIP KUMAR, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH.

Present: Sh. Kamal Kant, Presiding Officer.

ID No. 23/2019

Registered on:-5.4.2019

Satyawan Pal S/o Pyare Lal, VPO-360, Barauli, Barauli(33), Ganjbarh Distt.-Panipat(HR).

.....Workman

Versus

1. Dy. General Manager, Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneil Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.

...Respondents/Managements

AWARD

Passed On:-05.04.2024

1. The workman Satyawan Pal has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.

2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.

3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.

4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer

नई दिल्ली, 24 मई, 2024

का.आ. 1007.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड; मेक्निल इंजीनियरिंग लिमिटेड; मेसर्स वैतरना ट्रैक्शन कम्पनी के प्रबंधन के संबद्ध नियोजकों और श्री रविंदर कुमार के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, चंडीगढ़, पंचाट (रिफरेन्स न.-24/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है, जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024-आई.आर. (एम)-71]

दिलीप कुमार, अवर सचिव

New Delhi, the 24th May, 2024

S.O. 1007.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 24/2019**) of the Central Government Industrial Tribunal cum Labour Court-2, **Chandigarh** as shown in the Annexure, in the Industrial dispute between the employers in relation to **Indian Oil Corporation Ltd; Mecneill Engineering Ltd; M/s Watrana Traction Company** and **Shri Ravinder Kumar** which was received along with soft copy of the award by the Central Government on 24.05.2024.

[No. Z-16025/04/2024- IR (M)-71]

DILIP KUMAR, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH.

Present: Sh. Kamal Kant, Presiding Officer.

ID No. 24/2019

Registered on:-5.4.2019

Ravinder Kumar S/o Ram, VPO-Untala, Tehsil-Mathouda, Distt.-Panipat(HR).

.....Workman

Versus

1. Dy. General Manager, Indian Oil Corporation Ltd.(Polymer Terminal), Vill. & PO-Ball Jattan, Distt. Panipat.
2. Mecneill Engineering Ltd. through MD/CEO, Konchowki, Bhasa, Bishnupur, Distt. Sough 24 Parganas, West Bengal.
3. M/s Watrana Traction Company through MD/CEO, Head Office, B-101, Gujranwala Town, Part-1, Delhi-110009.

...Respondents/Managements

AWARD

Passed On:-05.04.2024

1. The workman Ravinder Kumar has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for reinstatement with full back wages.
2. Today i.e. 5.4.2024 the case was fixed for filing affidavit by way of evidence of the workman and last opportunity was granted to workman on 22.3.2024 and on that day one Sh. Ajay Chauhan, proxy for Sh. Diwan Adlakha, AR for workman had appeared and prayed for further time for filing affidavit of workman with the assurance that if the affidavit is not filed on 5.4.2024 then evidence of the workman be deemed as closed and his case be also dismissed. On scrutiny of the order sheets, it is revealed that the case was fixed for filing affidavit by the workman on 21.12.2021, 19.4.2022, 1.6.2022, 10.1.2023, 8.3.2023, 20.4.2023, 5.7.2023, 18.10.2023, 29.11.2023, 22.3.2024 and today i.e. on 5.4.2024 also. Several dates have been fixed by the Tribunal for filing affidavit by workman which denotes that workman is neither serious nor interested in disposal of the case on merit.
3. Since the workman has not filed any affidavit to prove his case against the management despite several opportunities as such, this Tribunal is left with no choice, except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the present reference due to non-filing of the affidavit by the workman.
4. Let copy of this award be sent to the Appropriate Government as required under Section 17(1) of the Act for publication.

KAMAL KANT, Presiding Officer